

IN RE: PETITION FOR SPECIAL HEARING  
N/S Sparks Farm Road, 465' E of  
the c/l of Sparks Station Road  
10th Election District  
3rd Councilmanic District  
Richard M. Price  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-219-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the previously approved Development Plan for Lot 23 of Mission Ridge as a result of a reclassification of the subject property from R.C. 2 to R.C. 4 in the 1988 Comprehensive Zoning Map, in accordance with Petitioner's Exhibit 1.

The Petitioner, by Tom Pittman, Contract Purchaser, appeared, testified, and was represented by Newton Williams, Esquire. Also appearing on behalf of the Petitioner was Arnold Fleischmann, attorney for Dr. Myron D. Brenner and Dianne Pomerantz, adjoining property owners south and east of Lot 23. Also appearing on behalf of the Petitioner were Bernard Willemain, Consultant, Gene Raphael, Registered Land Surveyor, and Dennis and Stephanie McCarty, owners of Lot 19. There were no Protestants.

Testimony indicated that the subject property consists of 66.376 acres more or less split zoned R.C.2 and R.C.4. Said property was originally approved for a 24-lot subdivision known as Mission Ridge. Under the original development plan, 40 acres more or less were zoned R.C. 4 and 26 acres more or less were zoned R.C. 2. The original development plan was approved on December 29, 1986 at which time, 2 lots were established on the R.C. 2 zoned portion of the site and 22 lots were established on the R.C. 4 zoned portion of the site. The 2 lots zoned R.C. 2 are known as

Lot 1, which consisted of 5.9 acres more or less, and Lot 23 which consisted of 18.93 acres more or less.

As part of the 1988 Comprehensive Zoning Maps, Petitioner filed and was granted by the County Council a Petition for Reclassification for a change of zoning of Lot 23 from R.C. 2 to R.C. 4. Petitioner's Counsel noted that at the time of application, the Petitioner made very clear the effects of the reclassification of Lot 23 to R.C. 4. Further, the Petition for Reclassification noted that the property would yield two more lots for Lot 23 in addition to the existing one. Counsel indicated that at the time of filing, the Petitioner contacted the owners of lots in Mission Ridge and adjoining property owners. Once again, at the time of filing the instant Petition, Petitioner attempted to contact the owners of all the lots in Mission Ridge. The support of Petitioner's request is set forth in letters marked Petitioner's Exhibits 6A through 6O. Subsequent to the hearing, Petitioner submitted letters of consent from additional lot owners marked Petitioner's Exhibits 7A through 7D. Petitioner argued that the granting of the relief requested is within the spirit and intent of the B.C.Z.R. and will not create any detriment to the health, safety or general welfare of the surrounding community.

Mr. Fleischmann, Esquire, appeared and proffered testimony on behalf of his clients, Dr. and Mrs. Brenner, owners of the adjoining property to the east as depicted on Petitioner's Exhibit 1. Mr. Fleischmann testified that his clients are in favor of the additional subdivision to create Lots 23, 23A and 23B for residential development. He indicated that his clients believe the relief requested would meet the spirit and intent of Mission Ridge and would not create any detriment to the health, safety or general welfare of the community.

Additionally, Dennis and Stephanie McCarty, owners of Lot 19, appeared and testified. Mr. & Mrs. McCarty indicated they are in favor of the proposed amendment to permit the subdivision of Lot 23 into three lots.

Petitioners called Gene Raphael, Registered Land Surveyor, who described the property in detail and its original development. Mr. Raphael concluded that the proposed amendment would not create any detriment to the health, safety or general welfare of the community or the adjoining property owners. He further testified that a waiver of the CRG process was granted with respect to the amended development plan.

Petitioners next called Bernard Willemain, Planning and Zoning Consultant, who testified that he is familiar with the subject property and the B.C.Z.R. He noted the opportunity of the Planning staff and the community to have input both at the time of reclassification of the property and now, and indicated that in his opinion, the granting of the relief requested complies with the B.C.Z.R. and will not result in any detriment to the health, safety or general welfare of the community.

Subsequent to the hearing, Petitioner presented the proposed amendment to the Final Development Plan to the Planning Board, pursuant to Section 1801.3A.7.b.i and said amendment was approved by the Baltimore County Planning Board on March 21, 1991.

After reviewing the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the proposed amendment to the development plan is appropriate in this case. Clearly, it would have been inappropriate to approve a revised development plan that would increase the number of lots on the original plan that was in effect at the time the existing houses were sold and occupied without the opportunity for a public hearing and the input of the adjoining property owners who purchased

their property based upon a recorded Final Development Plan. In this particular case, the adjoining property owners have unequivocally stated their preference in favor of the proposed amendment. Further, the Petitioners have shown that the spirit and intent of the development plan and the B.C.Z.R. will not be circumvented by the permitted amendment.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of April, 1991 that the Petition for Special Hearing to approve an amendment to the previously approved Development Plan for Lot 23 of Mission Ridge as a result of a reclassification of the subject property from R.C. 2 to R.C. 4 in the 1988 Comprehensive Zoning Map, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/4/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/4/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/4/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 4/4/91  
By [Signature]

#### PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve, at the time of original approval, the number of lots approved equalled the maximum densities permitted. The plan as presently proposed utilizes additional density, two lots, approved as a result of a reclassification from R.C. 2 to R.C. 4 on the 1988 Comprehensive Zoning Map.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Tom Pittman  
(Type or Print Name)  
Signature: [Signature]  
Address: 15722 KISH AVE  
City and State: MONTGOMERY MD 20811

Legal Owner(s): Richard M. Price  
(Type or Print Name)  
Signature: [Signature]  
(Type or Print Name)  
Signature: [Signature]

Attorney for Petitioner: 2505 BURCE RD 472-4532  
(Type or Print Name) Phone No.  
Address: BURCE RD 21023  
City and State  
Signature  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Address: Tom Pittman  
Name: 15722 KISH AVE 472-4154  
Address: MONTGOMERY MD 20811  
City and State  
Attorney's Telephone No.: [Blank]

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of FEB, 1991, at 9:30 o'clock P.M.

ESTIMATED LENGTH OF HEARING: 15 MIN. \*T.O.  
\*T.O. = TIME OF HEARING  
MON./TUE./WED. - FIRST TWO POINTS (over)  
ALL OTHERS - 15 MIN.  
REVIEWED BY: CAM DATE: 1 Nov 90

E. F. RAPHEL & ASSOCIATES  
Registered Professional Land Surveyors  
205 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

OFFICE: 812-3908

DESCRIPTION FOR SPECIAL HEARING

RESIDENCE: 771-4592

DEVELOPMENT PLAN OF PLAT - 1

"MISSION RIDGE"

SM 55/139

October 4, 1990

Beginning for the same at a point on the North Right of Way Line of Sparks Farm Road, 50' wide, at the westernmost corner of Lot 23 as shown on Plat - 1 of "Mission Ridge" and recorded among the Land Records of Baltimore County in Plat Book S.M. 55 folio 139, said point being located easterly 465' ± along the North Right of Way Line of Sparks Farm Road from the intersection formed by the centerline of Sparks Station Road and the North Right of Way Line of Sparks Farm Road, running thence on the outline of Plat 1 of "Mission Ridge", the 19 following courses and distances, 1) N 12° 48' 27" E 13.63', 2) S 80° 28' 50" E 2,016.40', 3) S 18° 00' 27" W 342.09', 4) S 80° 54' 36" W 234.81', 5) S 18° 00' 27" W 571.68', 6) S 71° 59' 33" E 209.04', 7) S 18° 00' 27" W 142.71', 8) S 23° 58' 36" E 495.00', 9) S 44° 01' 24" W 396.00', 10) N 68° 58' 36" W 503.25', 11) N 61° 48' 16" W 862.63' to the easternmost Right of Way Line of Sparks Farm Road, thence crossing said road, 12) N 60° 20' 00" W 50.00' to the west side of said road, thence binding on the west side of said road, 13) by a curve to the left with a radius of 775' for a distance of 87.06', thence leaving Sparks Farm Road, 14) N 67° 49' 51" W 411.22', 15) N 23° 02' 00" E 391.93', 16) N 67° 49' 51" W 90.00', 17) N 46° 33' 34" E 195.00', 18) N 39° 11' 33" W 412.50' and 19) N 12° 48' 27" E 421.37' to the place of beginning.

Containing 66.376 Acres ±.

Being all of Plat 1 "Mission Ridge" and recorded among the Land

Records of Baltimore County in Plat Book S.M. 55 folio 139.



E. F. RAPHEL  
Reg. Prof. Land Surveyor  
# 2246

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

April 4, 1991

Newton A. Williams, Esquire  
210 Allegheny Avenue, Suite 700  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
N/S Sparks Farm Road, 465' E of the c/l of Sparks Station Road  
10th Election District - 3rd Councilmanic District  
Richard M. Price - Petitioner  
Case No. 91-219-SPH

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMM:bjs

cc: Arnold Fleischmann, Esquire  
408 Bosley Avenue, Towson, Md. 21204

People's Counsel

File



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 10th Date of Posting: 4/19/91  
Posted for: Special Hearing  
Petitioner: Richard M. Price & Tom Pittman  
Location of property: N/S Sparks Farm Rd., 465' c/l Sparks Station Rd.  
Location of Sign: 10119 Sparks Farm Rd. approx. 1/2 mi. E. of 10th  
Property of R. M. Price  
Remarks:  
Posted by: [Signature] Date of return: 4/25/91  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 1-10, 1991  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-3, 1991.

THE JEFFERSONIAN,

S. Zebe Olson  
Publisher

\$ 101.15

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 1-10, 1991  
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-3, 1991.

TOWSON TIMES,

S. Zebe Olson  
Publisher

\$ 101.15

**NOTICE OF HEARING**  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Petition for Zoning Variance  
Case number: 91-219-SPH  
N/S Sparks Farm Road, 465' c/l Sparks Station Road  
10th Election District  
3rd Councilmanic  
Legal Owner(s): Richard M. Price  
Contract Purchaser(s): Tom Pittman  
Hearing Date: Monday, Feb. 4, 1991 at 9:30 a.m.  
Special Hearing: to approve an amended site plan as being in accord with the Zoning Commission rules, i.e., at the time of original approval the number of lots approved equaled the maximum density permitted. The plan, as presently proposed, utilizes additional density, two lots, approved as a result of a reclassification.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
TOWSON, Jan. 3

**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

**receipt**  
N. 3792

Date

10/21/90

H-10-37

PUBLIC HEARING FEE

07

PRICE

AND SPECIAL HEARING FEE

10

PRICE

LAST NAME OF OWNER: PRICE

TOTAL: \$175.00

040040029MCHRC \$175.00  
BA C033040A11-01-90

Please make checks payable to: Baltimore County

Validation:

**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

**receipt**

Date

91-219

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 1/25/91

Tom Pittman  
15722 Irish Avenue  
Monkton, Maryland 21111

RE:  
Case Number: 91-219-SPH  
N/S Sparks Farm Road, 465' c/l Sparks Station Road  
10th Election District - 3rd Councilmanic  
Legal Owner(s): Richard M. Price  
Contract Purchaser(s): Tom Pittman  
HEARING: MONDAY, FEBRUARY 4, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 126.15 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 17, 1991

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-219-SPH  
N/S Sparks Farm Road, 465' c/l Sparks Station Road  
10th Election District - 3rd Councilmanic  
Legal Owner(s): Richard M. Price  
Contract Purchaser(s): Tom Pittman  
HEARING: MONDAY, FEBRUARY 4, 1991 at 9:30 a.m.

Special Hearing to approve an amended site plan as being in accord with the Zoning Commission rules, i.e., at the time of original approval the number of lots approved equaled the maximum density permitted. The plan, as presently proposed, utilizes additional density, two lots, approved as a result of a reclassification.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Richard M. Price  
Tom Pittman

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

January 28, 1991

Mr. Richard M. Price  
2505 Burer Road  
Burer, MD 21023

RE: Item No. 187, Case No. 91-219-SPH  
Petitioner: Richard M. Price  
Petition for Special Hearing

Dear Mr. Price:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Tom Pittman  
15722 Irish Avenue  
Monkton, MD 21111

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this  
5th day of December, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Richard M. Price

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: January 2, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Richard M. Price, Item No. 187

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM187/ZAC1

**received**  
1/2/91



Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
(801) 887-3554

November 28, 1990



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 187, 200, 203, 204, 206, 208, 210, 211, and 212.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

NSF/lab

received  
12/13/90

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

11/28/90  
Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 187, Zoning Advisory Committee Meeting of December 4, 1990

Property Owner: Richard M. Price

Location: N/S Sparks Farm Rd, 465' centerline Sparks Station

Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to any installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- ( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any chabroiler generation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathroom, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulation. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- ( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- ( ) Soil percolation tests, have been ☒ must be ☒ conducted.
  - ( ) The results are valid until May 21, 1993
  - ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
  - ( ) shall be valid until
  - ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- ( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- ( ) Others

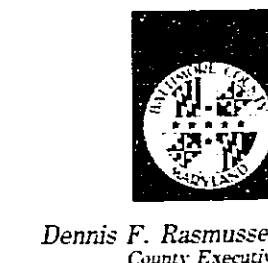
received  
11/21/90

BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(801) 887-4500

Paul H. Reinke  
Chief

NOVEMBER 28, 1990



Dennis F. Baemssen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: RICHARD M. PRICE

Location: N/S SPARKS FARM ROAD

Item No.: 187 Zoning Agenda: DECEMBER 4, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. PROPOSED FARMHANDLE DRIVEWAY SHALL BE CONSTRUCTED IN ACCORDANCE WITH BALTIMORE COUNTY COUNCIL BILL NO. 172-89 AND RESOLUTION NO. 52-89

REVIEWER: *Paul H. Reinke* Noted and Approved *Paul H. Reinke*  
Fire Prevention Bureau  
Special Inspection Division

JK/KEK

received  
11/24/90

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 27, 1990  
FROM: Robert M. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting for December 4, 1990

The Development Engineering Division has reviewed the subject zoning items and to have no comments for Items 200, 203, 208, 210 and 211.

For Items 187 and 212, the previous County Review Group comments are still applicable.

For Item 204, the correct plat reference is Plat Book 9, Folio 4. Also, the east and west property line dimensions appear to be reversed.

For Item 204, the site must be submitted through the minor subdivision process for review and comments.  
*Robert M. Bowling*  
ROBERT M. BOWLING, P.E., Chief  
Development Engineering Division

RMB:s

Baltimore County Government  
Planning Board

401 Bosley Avenue  
Towson, MD 21204

887-3211

March 27, 1991

TO: J. Robert Haines  
Zoning Commissioner  
FROM: P. David Fields, Secretary  
to the Planning Board  
SUBJECT: Amended Final Development  
Plan, "Mission Ridge"

RECEIVED  
MAR 27 1991

ZONING OFFICE

Pursuant to Section 1801.3A.7.b.1 of the Baltimore County Zoning Regulations, the proposed amendment to the Final Development Plan of "Mission Ridge" was approved by the Baltimore County Planning Board at its meeting on March 21, 1991. The proceedings on this Plan may now be concluded.

*P. David Fields*  
P. David Fields

PDE/TD/prh  
MISSRDGE/TXTPRH

cc: Frank Fisher  
Eugene F. Raphael

LAW OFFICES  
NOLAN, PUSCHOFF & WILLIAMS  
CHARTERED

SUITE 700, COURT TOWERS  
210 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-5340  
(301) 833-7800  
TELEFAX: (301) 296-2768

JAMES D. NOLAN  
ATTY 1980

J. EARLE PUSCHOFF  
1940-1986

RALPH E. DEITZ  
1928-1982

WRITERS DATE BOOK  
833 355

November 20, 1990

The Honorable J. Robert Haines, Esquire  
Baltimore County Zoning Commissioner  
Zoning Commissioner's Office  
County Office Building  
Towson, Maryland 21204

RECEIVED  
NOV 23 1990

ZONING OFFICE

RE: The Pittman Special Hearing Petition  
Involving Mission Ridge, Sparks Farm Road,  
Tenth Election District, Baltimore County  
Item 187, filed November 1, 1990

Dear Commissioner Haines:

As you will recall, on October 9, 1990, you met with my partner, Newton Williams and Mr. Tom Pittman, a principal in Philpot Investment Company, the owner and developer of Mission Ridge, and RC2 and RC4 development located on the south side of Sparks Road west of Carroll Road in the Tenth Election District.

During the discussion of the effect of the change of the rear of the property from RC2 to RC4, you stated that you would require a special hearing to determine the viability of this proposal.

Accordingly, within the last several weeks, Mr. Raphael filed a special hearing in the language specified by Mr. Dyer, and there are several points that we wish to make with regard to this application.

First of all, it will be appreciated if you will enter the appearance of myself, my partner, Newton Williams, and our firm on behalf of the Petitioner which should also be corrected.

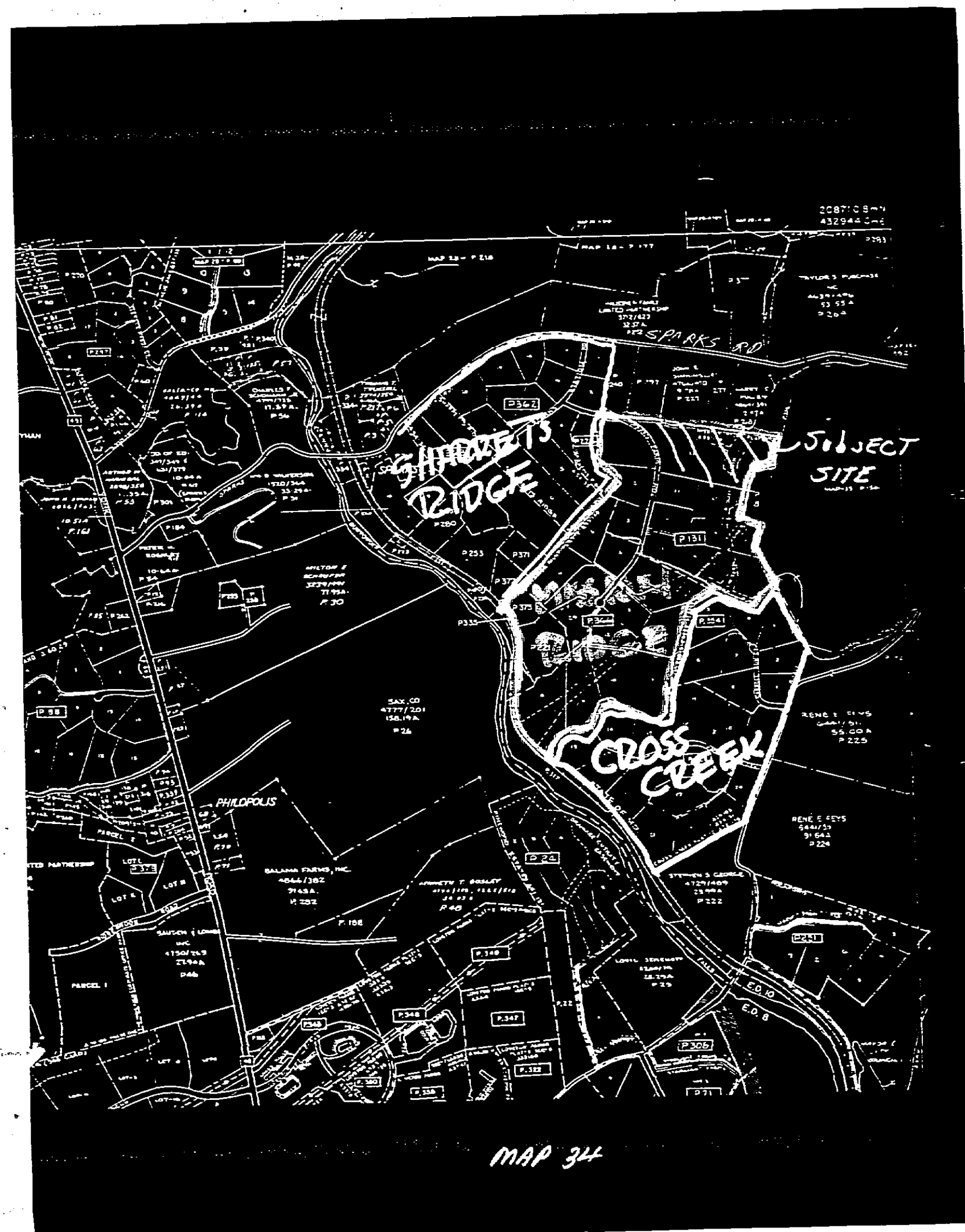
The legal owner remains Mr. Richard M. Price who signed the Petition in your file.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
NEWTON WILLIAMS, ATTY	700 COURT TOWERS, 210 W. PENNSYLVANIA AVE, TOWSON, MD 21204
Arnold Fischman	408 Bosley Ave, Towson, MD 21204
Tom Pittman	15722 IRISH AVE. MONKTON, MD 21111
Bernie Willemann	12005 DUNAWAY VALLEY RD, 21111
GENE RAPHEL, RLS	205 COURTLAND AVE, 21204
DEWIS & STEPHANIE MCARTY	18 SPARKS FARM RD, 21252





Myron D. Brenner, M.D.  
1703 Sparks Road  
Sparks, Maryland 21152  
301-771-4163

February 1, 1991

J. Robert Haines  
Zoning Commissioner  
New Courts Building  
Towson, MD 21204

RE: February 4, 1991 Zoning Hearing  
Mission Ridge Lot 23

Dear Mr. Haines:

Owning and living on property adjacent to Lot 23 in the Mission Ridge development, we joined the owners of the other properties adjoining that lot in writing to our county councilman and to the director of the Office of Planning and Zoning, on October 8, 1988, in support of the developer's request for a zoning change to permit resubdivision of the lot into three building lots.

We have been informed of the developer's efforts in this direction since then, and are aware of the details of the proposed site plan. This letter is to confirm our continued support for the proposed plan, and to urge the granting of the requested zoning relief.

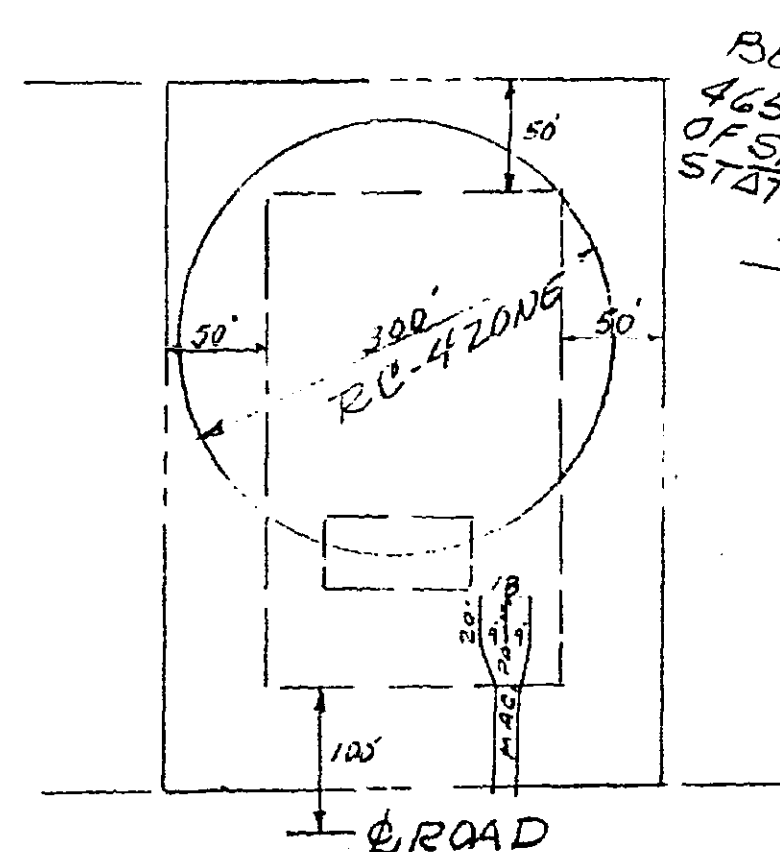
Yours sincerely,  
*Myron D. Brenner*  
*James Buchanan*

cc: Arnold Fleischmann  
Stephen Nolan/Newton Williams

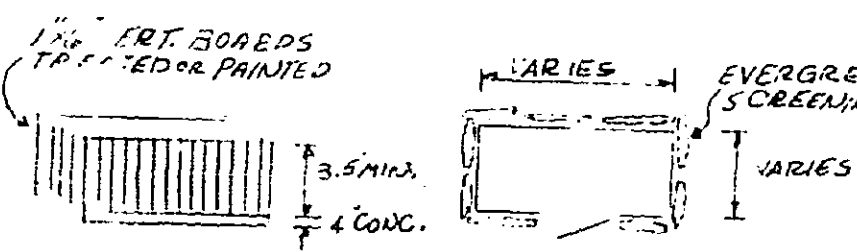
**PETITIONER'S  
EXHIBIT 5**

ADDRESS ELLICOTT CITY, MD 21043 PHONE NUMBER 1878





TYPICAL LOT  
SHOWING SETBACKS & TYPICAL  
PARKING LAYOUT  
NO SCALE



DETAIL FOR REFUSE CONTAINERS  
NO SCALE  
■ DENOTES REFUSE CONTAINERS

This development plan is approved by the Zoning Commissioner based on his interpretation of the Zoning Regulations that it complies with present policy, density and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided or developed for additional dwellings, or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and transferred for the purpose of occupancy.

ACCESSORY STRUCTURES, FENCES & PROJECTIONS INTO YARD CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS

THIS DEVELOPMENT PLAN COMPLIES WITH THE C.R.G. COMMENTS. ANY MINOR CHANGES TO NOT CONSTITUTE MATERIAL OR SUBSTANTIAL CHANGES, AND DO NOT REQUIRE ANOTHER C.R.G. MEETING

IF APPLICANT WISHES TO FRONT THE DWELLING CONTIGUOUS TO THE ADJACENT PROPERTY, AN AMENDMENT TO THE DEVELOPMENT PLAN WOULD BE REQUIRED PRIOR TO ANY PERMIT APPLICATIONS.

**LOT 23**  
OWNER/DEVELOPER  
RICHARD M. PRICE  
2508 BUTLER RD.  
BUTLER MD. 21023

OWNER/DEVELOPER  
PHILIP INVESTMENT CO.  
15022 IRLIN AVE.  
MOUNTAIN MD. 21111  
301-472-4184

#### REASONS FOR AMENDMENT:

1. THE ADDITION OF LOT 23A & 23B
2. THE REVISION OF THE RC4 & RC2 ZONELINE

91-219-  
SPH

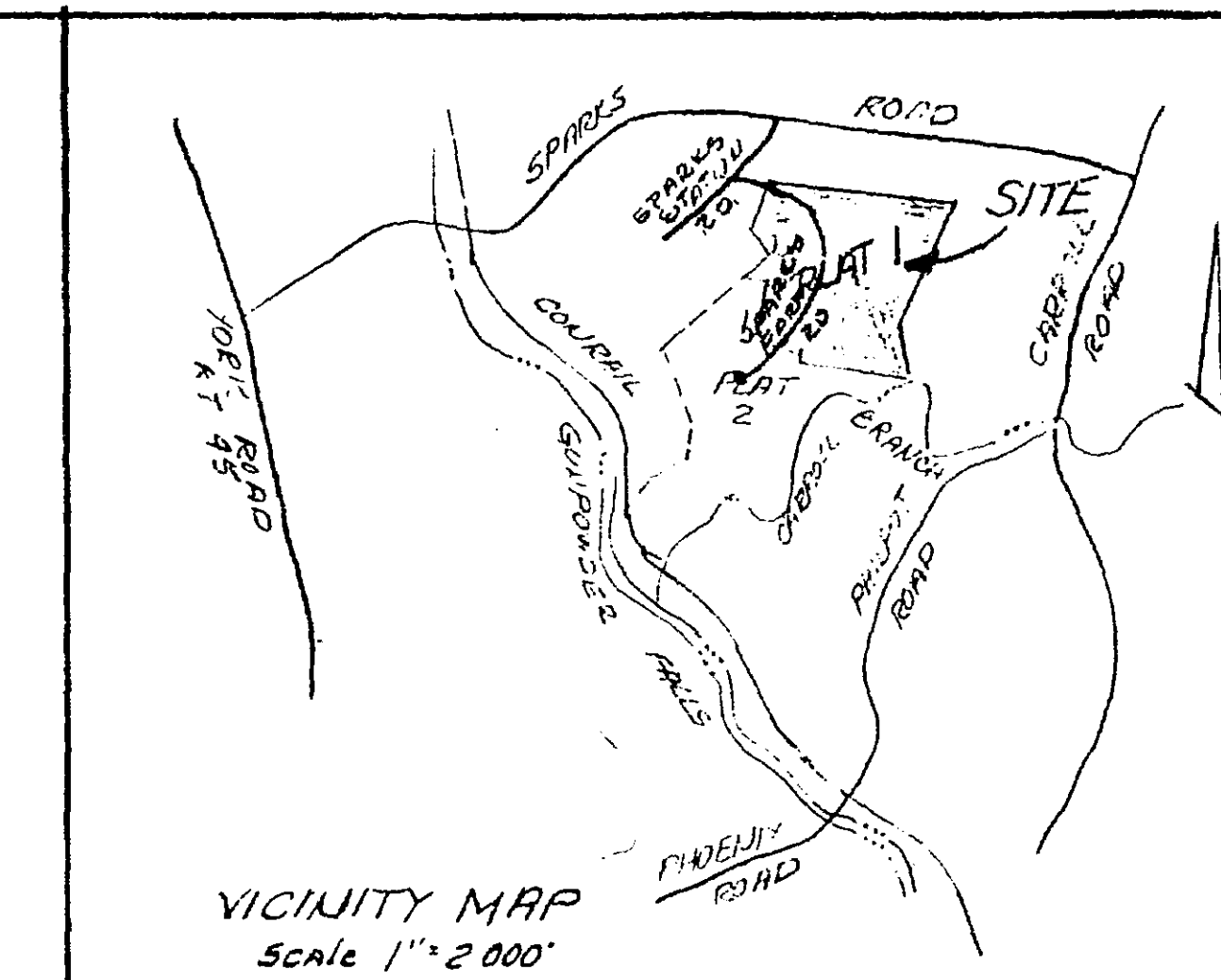


PLAT TO ACCOMPANY SPECIAL HEARING  
1<sup>st</sup> AMENDED DEVELOPMENT PLAN  
"MISSION RIDGE"  
PLAT - 1

10<sup>th</sup> ELECT. DIST.  
SCALE 1"=100'  
E.F. RAPHAEL & ASSOC  
REG. PROF. LAND SURVEYORS  
205 COURTLAND AVE TOWSON  
825-3908

OFFICE OF PLANNING & ZONING  
APPROVED BY  
DIRECTOR OF PLANNING DATE  
ZONING COMMISSIONER DATE

#2112



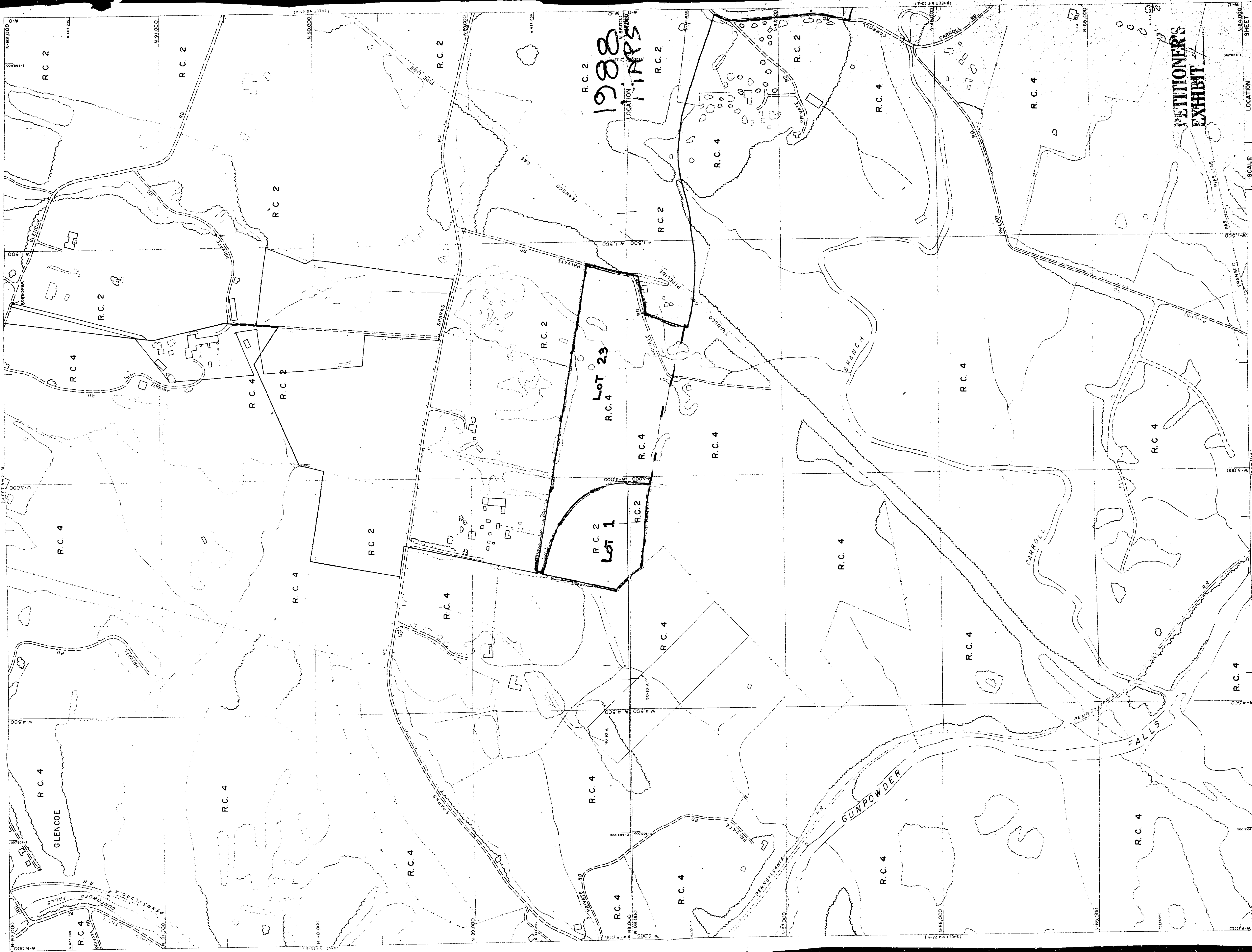
DENSITY CALCULATIONS

ZONE RC2 & RC4  
GROSS AREA OF PROPERTY = 136.307 AC\* PERMITTED 510 WW

PLAT 1: 66.376 AC	RC-2: 26.20 AC* 6.74 (REV)	2
RC-4: 40.176 AC	59.676 AC (REV)	11.932 (REV)
PLAT 2: 69.931 AC	RC-4: 69.931 AC * 1.2	13.986
RC-4 PLAT 1 & 2 TOTAL: 136.307 AC	RC-2: 26.20 AC * 2.5 (REV)	65.500
PLAT 1 & 2 TOTAL LOTS IN RC2 & RC4 ZONE	24 LOTS	(REV) 5 LOTS
DENSITY RC4 ZONE	2.4 LOTS/AC	(REV) 0.85 LOTS/AC
	12.607 = 0.85 / AC	

- GENERAL NOTES
1. Private septic tanks shall be installed in accordance with Balto. Co. Health Dept. Regulations.
  2. There shall be two offstreet parking spaces provided for each lot constructed with macadam surface.
  3. Locations of drives and parking to be determined by the location of residence and paved with macadam.
  4. There shall be no grading of the entire site; only minimum grading shall be performed as required for the construction of homes and drives on any lot.
  5. There shall be no cutting of trees and shrubs from any lot. Only dead, damaged or trees necessary for the construction of homes and drives are to be removed.
  6. All lots are to be sold.
  7. Maximum building height of any structure is 35'.
  8. Major vegetation is woods (FIELD).
  9. No open space is required.
  10. Contours shown are from Balto. Co. PHOTOGRAMMETRICS.
  11. Minimum building setbacks required:  
a. 100' from E of street and not less than 75' from street R/W.  
b. Minimum of 50' side yard.  
c. Minimum of 50' rear yard.
  12. Lot dimensions and acreage as shown are approximate and are substantially in accordance with the Plat.
  13. The Owner reserves the right to redivide any lot in compliance with all applicable regulation and to create and realign all establish maintenance agreements for individual lots & UTILITY EASEMENTS.
  14. Refuse collection, snow removal and road maintenance are provided to the junction of the panhandle lot and the street R/W and not on the panhandle lot driveway.
  15. Envelopes shown hereon are for the location of all principle buildings only. Accessory structures, fences and projections must comply with Section 301 and 400 of the Balto. Co. Zoning Regulations (subject to covenants and applicable building permits.)
  16. The Architectural Review Committee for "MISSION RIDGE", reserves the right to orient the house location on each lot.
  17. Planting on each lot to be provided by the owner of the lot.
  18. Front of houses to be 50' from property lines.
  19. Panhandle drive to be paved with macadam, 16' wide.
  20. ▲ Denotes approved street lights by Balto. Co. (approximate location).
  21. Refuse collection by Balto. Co.
  22. The lots shown hereon are sold subject to certain covenants and restrictions of public record.
  23. No more than 10% of the lot may be covered with IMPERMEABLE SURFACE.
  24. No more than 25% of the existing vegetation may be removed from any lot.
  25. I.R.T. - 10' x 4' x 20' LOTS - 298
  26. Pending trash and mailbox containers.
  27. C.R.G. approval date: 7/10/86
  28. RELOCATION OF WELLS & SEPTIC AREAS PERMITTED WITH THE APPROVAL OF THE HEALTH DEPARTMENT.





# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Ord. No. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

DD - SE EE - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
TO REFLECT CHANGES IN ZONING DISTRICTS

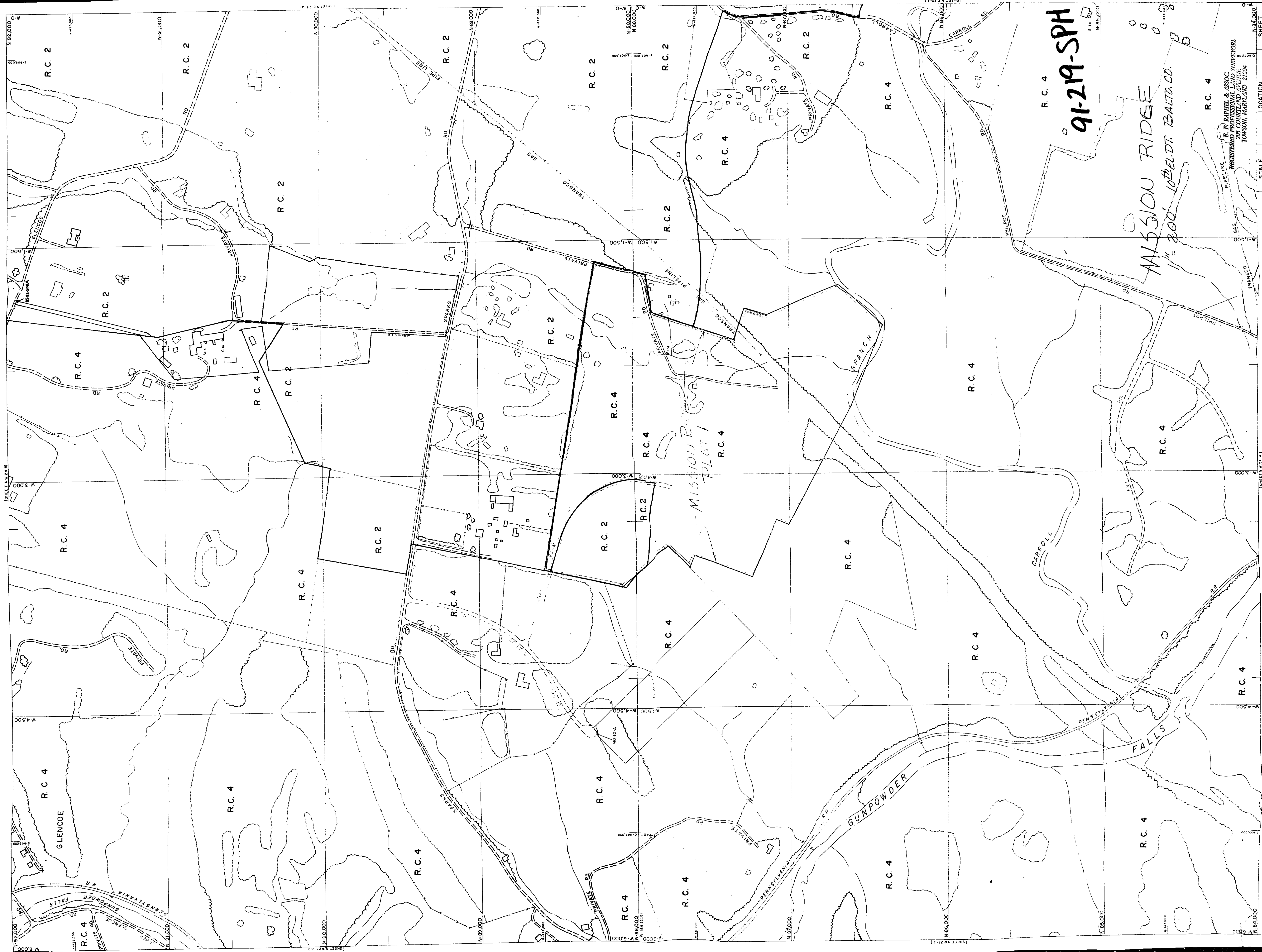
SCALE	LOCATION	SHEET
1" = 200'	SOUTH OF GLENCOE	22-A
DATE OF PHOTOGRAPHY		
JANUARY 1988		

1988









BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
Baltimore County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
BY PHOTOGRAMMETRIC MEANS  
IN COOPERATION WITH THE BALTIMORE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

DD - SE EE - SW

SCALE  
1" = 200'  
DATE  
JANUARY  
1988

LOCATION  
SOUTH OF  
GLENCOE  
RECEIVED NOV 15 1987

SHEET  
22-A